

ENCLOSURE (6)

**Water Meadow Nursery & Herb Farm.****Cheriton. Alresford. Hampshire SO24 OQB.****Tel:+44 (0)1962 771895. Fax: 01962 771895.****email: [plantaholic@onetel.net.uk](mailto:plantaholic@onetel.net.uk) Web site [www.plantaholic.co.uk](http://www.plantaholic.co.uk)****RECEIVED  
CENTRAL FAX CENTER  
JUL 21 2006**

**Fax Message to Mr. Kent Bell & Mr Andrew Wang  
Plant Patents Organization TC1600 Bldg / Room REMSEN  
Art Unit 1661.**

**USPTO.****17 August 2004****Re Amendments to Application Number 10/619,411****Filing date 07/16/2003****First Named Inventor James DeWett****Examiner Bell. Kent. L.**

Dear Sir,

I have tried many times to contact the office of Mr Kent Bell regarding this application.

I must tell you that all the numbers on your web site listed for your team of examiners are not working, each one comes back with a voice saying that it is no longer in use.

As I could not get the examiners telephone number, before sending the corrected documents, I telephoned the main advisory number for USPTO to check if the Box number I was instructed to send the documents was manned and able to be received and your officer assured me that it was.

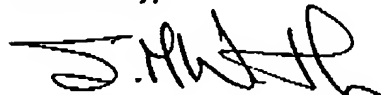
The corrected documents have been sitting in Virginia DHL office since August the 4<sup>th</sup>, as they have been unable to deliver to a P.O.Box Number.

Please tell me how to resolve this problem, I do not want to be penalized for late delivery as I feel I have tried to avoid delays in all ways.

I would also like to add that your general advisory board have been very helpful, but they really do not know too much about Plant Patent matters and the telephone numbers for your offices that they have given me are also not working!.

This is why I am now sending this fax to see if any one is still there.

Yours truly,



**Sandy Worth**

07/24/2006 MBINAS 00000019 10619411

01 FC:2452

250.00 OP

Proprietor S.M. Worth.

*P.s. The Fax Number 703 308 4227 also doesn't work! (listed on the web.)*

**BEST AVAILABLE COPY**

Message

ENCLOSURE(6A.)

**Sandy Worth**

**From:** Wang, Andrew [Andrew.Wang@USPTO.GOV]  
**Sent:** 18 August 2004 12:27  
**To:** Sandy Worth; Bell, Kent  
**Subject:** RE: My phone & fax messages

Hello Ms. Worth,

I contacted DHL and they contend that they do not deliver to PO BOXes, as to why I am not sure. I would recommend using another carrier such as FEDEX or UPS since I am sure that they do deliver to the PO BOX.

Here is the address:

Director of the United States Patent and Trademark Office  
P.O. BOX 1450  
Alexandria, Virginia 22313-1450

Hope this was of assistance

Andrew Wang  
Supervisory Patent Examiner  
Art Unit 1639  
Remson, Room E02A05  
(571)272-0811

RESOLVED BY 'DHL' sending  
by U.S. MAIL to USPTO..

-----Original Message-----

**From:** Sandy Worth [mailto:plantaholic@onetel.com]  
**Sent:** Wednesday, August 18, 2004 5:54 AM  
**To:** Bell, Kent; Wang, Andrew  
**Subject:** My phone & fax messages

Dear Sirs,

Please find enclosed my fax message, DHL has tried to call you from both U.K. & USA re delivery of the documents. DHL has also tried working through your web site and has found the email address as above and they tell me that they have also send emails asking that you contact DHL State side to assist with delivery.

I realize this is not really your problem... re delivery but I do not know what else to do.  
Thanking you for your help in this matter.

Yours truly

Sandy Worth

26/06/2006

EQUAL OPPORTUNITY EMPLOYER

ENCLOSURE

NURSERY

FIRST NAMED INVENTOR

James Peter DeWitt

FILING DATE

07/16/2003

APPLICATION NO.

10519/411

7590

11/16/2004

MRS. SANDRA M. WORTH  
WATER MEADOW NURSERY CHERITON  
NR. ALRESFORD, HAMPSHIRE, S024 0QB  
UNITED KINGDOM

ENCLOSURE (8)

00 1 703 872-9306  
Fax Message to Mr K. L. Bell, Primary Examiner  
United States Department of Commerce  
Patent & Trademark Office  
Commissioner of Patents & Trade Marks  
Washington DC USA  
From  
Mrs Sandra M. Worth Customer Number 000043926  
Water Meadow Nursery  
Cheriton Nr Alresford  
Hampshire SO24 0QB  
United Kingdom Fax number +44 (0) 1962 771895.

23<sup>rd</sup> December 2004.

Dear Mr Bell,

As I have not been able to discuss the situation regarding the plant patent either by fax or by phone with you. I am enclosing what I would consider to be the answer to your objections/ amendments.

I thought I might have been able to seek your advice in this matter, as it would save time, but I fear that I am going run out of time again for the amendments.

I hope my reply meets with your satisfaction.

Yours truly,

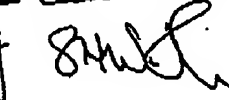



Sandra M Worth Mrs

P.S. Dear Mr Bell,

These are the original letters sent by fax to you on 23-12-2004.

If the papers are still not acceptable would you kindly Fax me upon return so that I can amend.

Yours truly 

ENCLOSURE  (9a)

00 1 703 872-9306

**Fax Message to Mr K. L. Bell. Primary Examiner**

United States Department of Commerce

Patent &amp; Trademark Office

Commissioner of Patents &amp; Trade Marks

Washington DC USA

From

Mrs Sandra M. Worth Customer Number 000043926

Water Meadow Nursery

Cheriton Nr Alresford

Hampshire SO24 0QB

United Kingdom Fax number +44 (0) 1962 771895.

16<sup>th</sup> December 2004

Re application Number 10/619,411

Filing Date 07/16/2003

First Named Inventor James DeWalt.

Assignee Worth Sandra M. Feb 25.2004

Dear Sir,

Further to your letter dated **11/16/2004 regarding unsigned amendments & response papers** which was received at my office on **15<sup>th</sup> December 2004**. The package seems to have been delayed or was not sent by airmail and has the post mark 'Port Paye France' on the outside.

I am sending this fax for your approval of the procedure, before submitting by post. I will try and telephone you on Monday 20<sup>th</sup> December 2004. to confirm.

I am enclosing the following documents which I hope will satisfy your requirements re the above patent pending.

- 1) A Full Copy of the Assignment of the Assignor's Interest. Recordation date 07/16/2003.
- 2) A duly signed letter from myself as the sole assignee, for inclusion with my corrections & re-examination papers recorded by yourselves as August 25<sup>th</sup> 2004.

I hope that this is all that is required. Could you let me know if there is anything else that is required. Thank you for your help in this matter.

Yours sincerely

S.M. Worth

ENCLOSURE (9B.)

00 1 703 872-9306

**Fax Message to Mr K. L. Bell. Primary Examiner**

United States Department of Commerce

Patent &amp; Trademark Office

Commissioner of Patents &amp; Trade Marks

Washington DC USA

From

Mrs Sandra M. Worth Customer Number 000043926

Water Meadow Nursery

Cheriton Nr Alresford

Hampshire SO24 0QB

United Kingdom Fax number +44 (0) 1962 771895.

Re application Number 10/619,411

Filing Date 07/16/2003

First Named Inventor. James DeWelt.

Assignee. Worth Sandra M. Feb 25.2004

23<sup>rd</sup> December 2004.

Dear Mr Bell,

First of all please accept my apologies for not signing the amendments received by you on August 25<sup>th</sup> 2004.

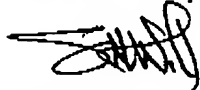
I would like to point out that I filed under the United States Patent & Trademark Office. Notice of Recordation of Assignment Document. PTAS \*102521634A\*, which was granted February 25<sup>th</sup> 2004 and the recordation date was 07/16/2003. I am the sole Assignee of Mr James DEWELT, who is the ASSIGNOR.

Therefore I am claiming the right to sign the application & or any amendment appertaining to the Plant Patent listed under Serial Number 10/619,411 dated July 16<sup>th</sup> 2003, **under section 3.71 clause (1) A single assignee/** An assignee of the entire right, title and interest in the application or patent being re examined who is of record.

I am also requesting an Extension of the time period for response under 37 CFR 1.136(a) as the documents were not received by my office in the UK until the 15<sup>th</sup> December 2004.

I have also tried several time to telephone the numbers you have kindly listed for me to no avail and leaving messages with both your self and Mr Andrew Wang.

Yours sincerely,



Sandra M Worth Mrs

ENCLOSURE (5)  
Page (2) of 2.



US00PP12712P2

APPLICANT:

2/Spac

(12) **United States Plant Patent**  
**Oudshoorn**

(10) Patent No.: **US PP12,712 P2**  
(45) Date of Patent: **Jun. 18, 2002**

(54) **PAPAVER PLANT NAMED 'PINK RUFFLES'**  
(75) Inventor: **Herbert Oudshoorn, Rypwetering (NL)**  
(73) Assignee: **Future Plants V.O.F., Noordwijk (NL)**  
(\*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 35 days.  
(21) Appl. No.: **09/624,465**  
(22) Filed: **Jul. 24, 2000**  
(51) Int. Cl. **A01H 5/00**

(52) U.S. Cl. **Pl. 263**  
(58) Field of Search **Pl. 263**

Primary Examiner—**Bruce R. Campbell**  
Assistant Examiner—**Michelle Kozilkaya**  
(74) Attorney, Agent, or Firm—**C. A. Whealy**

(57) **ABSTRACT**

A distinct cultivar of Papaver plant named 'Pink Ruffles', characterized by its upright and compact plant habit; dark green leaves; vigorous growth habit; freely flowering habit; and pink petals with fringed margins.

2 Drawing Sheets

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**BACKGROUND OF THE INVENTION**

The present invention relates to a new and distinct cultivar of Papaver plant, botanically known as *Papaver orientale* L., commercially referred to as Oriental Poppy, and hereinafter referred to by the cultivar name Pink Ruffles.

The new Papaver is a product of a planned breeding program conducted by the Inventor in Rypwetering, The Netherlands. The new Papaver originated from a self-pollination made by the Inventor of the Papaver cultivar Garden Glory, not patented. The new Papaver was selected by the Inventor in 1996 from the resultant progeny on the basis of its compact plant size, floriferousness and vigor.

Asexual reproduction of the new cultivar by cuttings taken at Rypwetering, The Netherlands, has shown that the unique features of this new Papaver are stable and reproduced true to type in successive generations.

**SUMMARY OF THE INVENTION**

Plants of the cultivar Pink Ruffles have not been observed under all possible environmental conditions. The phenotype may vary somewhat with variations in environment such as temperature, light intensity, daylength, and fertility level without, however, any variance in genotype.

The following traits have been repeatedly observed and are determined to be the unique characteristics of 'Pink Ruffles'. These characteristics in combination distinguish 'Pink Ruffles' as a new and distinct cultivar:

1. Upright and compact plant habit.
2. Dark green leaves.
3. Vigorous growth habit.
4. Freely flowering habit.
5. Pink petals with fringed margins.

Plants of the cultivar Pink Ruffles differ from plants of the parent cultivar, Garden Glory in the following characteristics:

1. Plants of the new Papaver are more compact and shorter than plants of the cultivar Garden Glory.
2. Plants of the new Papaver have darker green and glossier leaves than plants of the cultivar Garden Glory.
3. Plants of the new Papaver are more vigorous than plants of the cultivar Garden Glory.

2

4. Plants of the new Papaver are more freely flowering than plants of the cultivar Garden Glory.

5. Petals of the new Papaver have fringed margins whereas petals of the cultivar Garden Glory have entire margins.

Plants of the cultivar Pink Ruffles can be compared to plant of the cultivar Kleine Tanserin. Plants of the cultivar Pink Ruffles differ from plants of the cultivar, Kleine Tanserin in the following characteristics:

1. Plants of the new Papaver are sturdier than plants of the cultivar Kleine Tanserin.
2. Petals of plants of the new Papaver are more intense pink in color than petals of the cultivar Kleine Tanserin.
3. Petals of the new Papaver have fringed margins whereas petals of the cultivar Kleine Tanserin have entire margins.

**BRIEF DESCRIPTION OF THE PHOTOGRAPHS**

The accompanying colored photographs illustrate the overall appearance of the new cultivar, showing the colors as true as it is reasonably possible to obtain in colored reproductions of this type. Colors in the photographs may differ slightly from the color values cited in the detailed botanical description which more accurately describe the actual colors of the new Papaver.

The photograph at the top of the first sheet comprises a side perspective view of typical flowering plants of 'Pink Ruffles' grown in a container that were about 25 weeks old.

The photograph at the bottom of the first sheet is a close-up view of a typical leaf of 'Pink Ruffles'.

The photograph at the top of the second sheet is a close-up view of typical flower buds and open flower of 'Pink Ruffles'.

The photograph at the bottom of the second sheet is a close-up view of a typical flower of 'Pink Ruffles'.

**DETAILED BOTANICAL DESCRIPTION**

In the following description, color references are made to The Royal Horticultural Society Colour Chart except where general terms of ordinary dictionary significance are used. Plants grown in containers were used for the following description. Plants were grown under field conditions which closely approximate commercial production conditions dur-

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